

Minutes of the
Idaho Real Estate Appraiser Board
January 22, 2001

The Idaho Real Estate Appraiser Board meeting was called to order at 8:25 a.m., Monday, January 22, 2001 at the Bureau of Occupational Licenses, Owyhee Plaza, 1109 Main Street, Suite 220, Boise, Idaho.

Roll Call: Doyle Pugmire, Chairman
Ruby Stroschein, Vice Chairman
Stanley Moe, Board Member
Gordean Briggs, Board Member

Bureau Staff: Thomas E. Limbaugh, Bureau Chief
Budd Hetrick, Deputy Bureau Chief
Roger Hales, Administrative Attorney
John Kersey, Chief Investigator
Kirsten Wallace, Prosecuting Attorney
Dee Ann Randall, Administrative Secretary

Paul Morgan, absent, excused.

Minutes

Moved by Stanley Moe, seconded by Gordean Briggs and carried that the minutes of the November 20, 2000 board meeting be approved.

Financial Report

Mr. Limbaugh reviewed the financial report with the Board. Their current fund balance is \$52,847. The fund balance is adequate, but they do need the fee increases that have been submitted in their proposed rule changes.

Mr. Limbaugh informed the Board that the House Business Committee will be in the Bureau office on January 25, 2001. The Committee will visit in the office and then hold their committee meeting to review the proposed rules for three Boards in the Bureau, one of which will be the Real Estate Appraiser Board proposed rules.

Complaint Report

John Kersey, Chief Investigator, reported that one complaint has been received thus far for the year 2001.

Thirty (30) complaints were received for the year 2000. Of those twenty-one (21) remain under investigation. Three (3) are under legal review, and two (2) under pro review.

Forty-six (46) complaints were received in 1999. Twenty-three (23) remain under investigation, two (2) are under legal review, and four (4) are under pro review.

Thirty-seven (37) complaints were reviewed in 1998. Seven (7) are under legal review. Five (5) are under pro review.

Thirty-two (32) complaints were received in 1997. Five (5) remain under legal review.

Discussion was held regarding the reporting of disciplinary actions taken against licensees to the Appraisal Subcommittee. Mr. Kersey received a disc from them to use for reporting. Their website, however, is not operating and he has not heard if they have received his report.

The Board requested that a certified letter be sent to the Appraisal Subcommittee listing all of the disciplinary actions taken against licensees and stating that Idaho is in compliance with registering disciplinary actions with them. The Board feels that, due to their computer programs not working properly, a paper trail is necessary to note Idaho's efforts to comply.

Moved by Gordean Briggs, seconded by Stan Moe, that when formal disciplinary action is taken against an Idaho licensee, an email be sent to the states the Board has reciprocity with informing them of the action taken. The Board also requests these states reciprocate the same information to Idaho. Dee Ann Randall will obtain this information.

Budd Hetrick informed the Board that the disciplinary page on their web site is now in place.

Chuck Gossett, Idaho appraiser, thanked the Board and the Bureau and commended them for the work that has been done this past year in resolving the number of outstanding complaints and in keeping the community apprised via their website.

Newsletter

Ruby Stroschein reviewed the newsletter with the Board and informed them that she has not yet contacted anyone about assisting with the newsletter.

The Board agreed that this would be the last newsletter published. In this newsletter they will advise the appraisers to look on the website for updates and information.

Department of Finance

Anthony Polidori, Investigator with the Department of Finance met with the Board and discussed the issue of lenders requesting that appraisers use a pre-determined value in order to be hired to do an appraisal.

Mr. Polidori stated that he is not aware of this being done and no complaints have come to them in this regard. Their law Section 26-3114(6)(8), Idaho Code, Prohibited practices states: (6) "Make payment, whether directly or indirectly, of any kind to any in-house or fee appraiser for the purpose of influencing the independent judgment of the appraiser with respect to the value of any real estate which is to be covered by a residential mortgage loan."

(8) "Misrepresent, circumvent or conceal, through whatever subterfuge or device, any of the material particulars or the nature thereof, regarding a transaction to which it is a party."

Mr. Polidori requested that complaints received by the Board, in which an appraiser is asked for a price prior to the appraisal being done, be forwarded to him. Their office has regular meetings and such complaints would be reviewed. They would in turn contact the mortgage broker, check into their office procedures and try and help correct any problems.

The Bureau confirmed that, upon receipt of such complaints, and after review by the Bureau and a Board member, a copy of said complaints will be forwarded to Mr. Polidori at the Department of Finance. The Bureau will then pursue its normal investigative procedure.

Executive Session

Moved by Gordean Briggs, seconded by Ruby Stroschein and carried that the Board go into executive session to discuss possible litigation. The time being 11:20 a.m.

Moved by Ruby Stroschein, seconded by Gordean Briggs and carried the Board comes out of executive session at 11:50 a.m.

The following cases were reviewed and action taken:

Case # REA-L3-02-97-018: The Board authorized Kirsten Wallace, Prosecuting Attorney, to send a warning letter.

Case # REA-P3-02B-99-006: The Board authorized Ms. Wallace to send a letter of instruction outlining the discrepancies, and advising to be more careful in the future.

Case # REA-P3-02A-99-023: The Board authorized Ms. Wallace to send a letter of instruction.

Case # REA-S3-01-99-041: The Board authorized Ms. Wallace to negotiate a stipulated reprimand.

Case # Rea-L4C-02-97-002: The Board authorized Ms. Wallace to close this case and send a letter of instruction.

Continuing Education

Mr. Hetrick reviewed an email received by the Bureau regarding Carl Dutch, Instructor from the Chicopee Group, and the approval of their USPAP course being offered in Idaho. Several of the statements made regarding bureau personnel are not accurate and these issues were clarified to the Board.

It was the decision of the Board that before the Chicopee Group USPAP course taught by Carl Dutch can be reviewed for approval, they must submit all of the class material being used to teach the class, i.e. binder handed out to students. Upon receipt of the information and approval, the course would be approved for a two-year period.

Marcie McGinty, Bureau Secretary for continuing education, presented courses from McKissock Data Systems for their review.

Course outline and the textbook to be used for their USPAP course must be submitted for review. Upon receipt of this information, Ms. McGinty is to forward to Ed Muehlbach, Education Chairman, for his review. If Mr. Muehlbach approves this USPAP course, it will be approved for a two-year period.

Moved by Gordean Briggs, seconded by Stan Moe and carried that the following continuing education courses presented by McKissock Data Systems be approved for a two year period:

Vacant Land Appraisal – 8 hours
Information Technology & The Appraiser – 8 hours
Current issues in Appraisal – 4 to 6 hours
Real Estate Fraud & The Appraiser's Role – 8 hours
The Appraiser As Expert Witness – 8 hours

Moved by Gordean Briggs, seconded by Ruby Stroschein and carried the Board approves the seven-eight hour online update USPAP seminar that is given by any Appraisal Foundation Provider for continuing education credit. This seminar does not, however, meet the USPAP requirement for every five years, which must be a fifteen (15) hour course and passing the examination.

Reciprocity

Roger Hales updated the Board on reciprocity with Oregon and Nevada. An agreement, signed by Idaho, was sent to Oregon and there has been no reply from them. An agreement was also sent to Nevada, and no reply has been received. Mr. Hales will contact them for further information.

The Board requested that Mr. Hetrick place on the website the states they have reciprocity with, which are Wyoming, Montana, Washington, Utah and Louisiana.

Real Estate Commission

The Board discussed Real Estate Commission Chairman Bob Jones' apparent concerns regarding the complaint process and function of the Real Estate Appraiser Board. Mr. Limbaugh will contact the Real Estate Commission and discuss these issues.

AARO Meeting

The AARO Conference will be held in Atlanta, Georgia on April 28 –May 1, 2001. Stan Moe will attend this April meeting and Ruby Stroschein and Mr. Limbaugh will attend their fall meeting in October.

Applications Reviewed

The Board approved one (1) application for examination and deferred five (5) applications.

The Board authorized the issuance of the following certificates/licenses to these individuals having met the educational and experience requirements and passing an examination required by the Board.

Licensed Residential

David Turley	LRA-390
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Certified Residential

Pamela Rheinschild	CRA-391
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Certified General

Charles Kimber	reciprocity with Utah	CGA-388
Jeffery Williams	reciprocity with Utah	CGA-389
Douglas Trimpe		CGA-341
Tate Curtis	reciprocity with Utah	CGA-392

Meeting adjourned at 5:00 p.m.

R. Doyle Pugmire, Chairman

Ruby Stroschein, Vice Chairman

Gordean Briggs, Secretary

Stanley Moe

Paul Morgan

Thomas E. Limbaugh, Chief
Bureau of Occupational Licenses

Approved 3/19/01